

REMARKS/ARGUMENTSI. Introduction

This amendment is in response to the Office Action dated Oct. 24, 2005. The deadline for responding has been extended by way of a request for a 3 month extension of time to April 24, 2006.

Claims 2, 7, 8, 20 and 25-33 have been canceled. Claim 1 has been amended to include the features of allowable claim 2 and to clarify the wording of the claim. Accordingly, **claims 1, 3-6, 9-19, 21-24 and 34-44 are now pending.**

In the Office Action the Examiner allowed claims 34-44 and objected to claims 2, 3, 6, 9-19 and 21-24 but indicated that these claims were directed to allowable subject matter. Applicant's representative thanks the Examiner for the indication of allowable subject matter. Of the remaining claims, claims 25-33 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. In addition, claims 1, 4-5, 7-8 and 20 were rejected under 35 U.S.C. §103(a) as being obvious for the reasons set forth in the Office Action.

In an April 24, 2006 telephone interview the Examiner indicated that canceling the rejected claims and amending the objected to claims to overcome the objections would place the application in condition for allowance. In order to expedite issuance of the application, Applicants have amended the claims so that only claims with subject matter indicated to be allowable

are pending. Accordingly, it is respectfully submitted that the application is now in condition for allowance.

**II. All the Pending Claims Are Allowable**

**1. Claims 1 and 3-6 (Claim 2 has been canceled)**

Claim 1 has been amended to include the subject matter of allowable claim 2 which had been objected to for depending from a rejected base claim. Accordingly, claim 1 and claims 3-6 which depend therefrom are now in condition for allowance. Claim 2 has been canceled in view of the amendment to claim 1.

While amending claim 1 to include the features of claim 2, Applicants representative noticed some antecedent basis issues and made minor changes to clarify the claim while incorporating the features of claim 2 into claim 1. For example, claim 2 referred to "the previously generated indexing information". Applicants have amended claim 1 to recite "a first set of indexing information" which corresponds to be the "previously generated indexing information" that was recited in claim 2 thereby clarifying the currently amended claim 1.

**2. Claims 7-8 have Been Canceled**

**3. Claims 9-19**

Claim 9 which was indicated as being directed to allowable subject matter has been rewritten in

independent form. Accordingly, claims 9 and claims 10-19 which depend therefrom are allowable.

4. Claim 20 has Been Canceled

5. Claims 21-24

Claim 21, which was indicated as being directed to allowable subject matter, has been rewritten in independent form. Accordingly, claim 21 and claims 22-24 which depend therefrom are allowable.

6. Claims 25-33 Have Been Canceled

7. Claims 34-44

Claims 34-44 Stand Allowed.

**III. Telephone Interview Summary**

This interview summary is presented in the format suggested by the Patent Office.

1. Date of Interview: April 24, 2006

2. Type of Interview: Telephonic

3. Name of Participants:

Examiner: Robert Chevalier

Applicants' Rep: Michael P. Straub

4. Exhibit(s) Shown: None

5. Claims discussed: All the pending claims were discussed without getting into the content of any particular claim.

6. **References Discussed:** None

7. **Proposed Amendments discussed:**

Applicants' representative proposed canceling the rejected claims and rewriting the objected to claims to overcome the objections.

8. **Discussion of General Thrust of the Principal Arguments**

Applicants asserted that the objected to claims were indicated to be directed to allowable subject matter and that an amendment canceling the rejected claims and rewriting the objected to claims should place the application in condition for allowance.

9. **Other Pertinent Matters Discussed:**

The interview was initiated by the Examiner calling to check if Applicants had filed a response or were planning to respond. Applicants' representative indicated that he planned on responding and inquired if he could indicate to his client that canceling the rejected claims and amending the objected to claims would result in a prompt allowance in which case Applicants would consider such an action to expedite issuance of the patent. The Examiner indicated that he would have to update the search before determining if canceling the rejected claims would place the application in condition for allowance. The Examiner called back later the same day and indicated that canceling the rejected claims would, in fact, place the application in condition for allowance.

**10. General Results/Outcome of Interview**

The Examiner indicated that canceling the rejected claims and rewriting the objected to claims to overcome the rejection would **place the application in condition for allowance.**

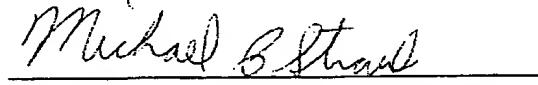
**IV. Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, Applicants request that the Examiner pass this application to issue.

The Examiner is invited to contact Applicants' undersigned representative by phone to discuss this matter if any issues remain which need to be resolved to place the application in condition for allowance.

To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

Respectfully submitted,

  
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April 24, 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

Michael P. Straub

Type or print name of person signing certification

Michael P. Straub  
Signature

April 24, 2006

Date